

REMARKS

Reconsideration of this application as amended is respectfully requested. Claims 31-39 are currently pending, and have been rejected.

The accompanying amendment amends claim 31, cancels claims 32-39 and adds new claims 40-50. Support for new claims 40-50 may be found in the specifications, the drawings, and the claims as originally filed. On account of the foregoing listed support for new claims 40-50, it is respectfully submitted that these claims do not add new matter.

Rejection of Claims Under 35 U.S.C. § 103

The Examiner has rejected claims 31-39 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,726,479 (Matsumoto).

Applicants, however, respectfully disagree that claims 31-51 are unpatentable in view of Matsumoto.

Matsumoto discloses a gate electrode (Figure 8) which includes a polysilicon electrode 4a and a silicide layer 9a formed on the top surface of the polysilicon electrode 4a and on portions of the side surfaces thereof. The portions of the silicide layer 9a formed on the sides of the polysilicon electrode 4a serve to increase an overall length of the silicide layer 9a thereby to reduce a resistance thereof, (see Column 11, lines 5-15). The reduction of the resistance of the silicide layer 9a is a stated goal of the invention of Matsumoto (see Column 4, lines 30-40). A necessary consequence of the silicide layer 9a being formed on the side walls of the polysilicon electrode 4a is that the polysilicon electrode has to have a stepped cross-section. In other words the polysilicon electrode 4a has to be of non-uniform cross-section.

Since the polysilicon electrode 4a of Matsumoto corresponds to the gate layer recited in claim 31 of the present application, it is respectfully submitted that Matsumoto fails to teach or suggest a gate layer of uniform cross-section.

Moreover, no part of the silicide layer 9a is wider than the polysilicon electrode 4a. Consequently, Matsumoto fails to teach or suggest a conductive layer disposed on the gate layer, wherein at least part of the conductive layer is wider than the gate layer, as recited in claim 1.

Since Matsumoto fails to teach or suggest all limitations of claim 31, as amended, it is respectfully submitted that amended claim 31 is not anticipated or rendered obvious by Matsumoto.

Given that claims 40-50 depend on claim 31, it is respectfully submitted that these claims are also not anticipated or rendered obvious by Matsumoto.

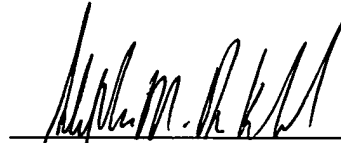
In conclusion, it is respectfully submitted that by virtue of the above arguments, the claims are in condition for allowance. Thus, it is respectfully requested that the amendments be entered and that the rejections to the claims be withdrawn.

Please charge any shortages and credit any overages to Deposit Account No. 02-2666. Any necessary extension of time for response not already requested is hereby requested. Please charge any corresponding fee to Deposit Account No. 02-2666.

Respectfully submitted,

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VERSION OF CLAIMS WITH MARKINGS

31. (Thrice Amended) A gate electrode comprising:
- an insulative layer disposed on a substrate;
 - a uniform cross-section gate layer disposed on said insulative layer;
 - thin first spacers disposed adjacent to opposite sides of said gate layer;
 - thin second spacers disposed adjacent to opposite sides of said thin first spacers;
 - thin third spacers disposed adjacent to opposite sides of said thin second spacers;
 - thick fourth spacers disposed adjacent to opposite sides of said thin third spacers; and
 - a conductive layer disposed on said gate layer, [extending beyond edges of] wherein
at least part of the conductive layer is wider than said gate layer [and having a lower side at
least as high as upper edges of said first, second, third, and fourth spacers].

New claims 40-51.